

United States Bankruptcy Court  
Northern District of Ohio  
Eastern Division

In Re:

Bankruptcy Case No. 15-52933

James Ronald Burns

Chapter 7 Proceeding

Judge Alan M. Koschik

DEBTOR'S RESPONSE TO TRUSTEE'S OBJECTION TO PROPERTY CLAIMED EXEMPT

The Trustee objects to the Debtor's exemption in his former residence at 2159 Meloy Road, Kent, OH 44240 (the "Real Estate"). O.R.C. §2329.66(A) provides in pertinent part that:

Every person who is domiciled in this state may hold property exempt from execution, garnishment, attachment, or sale to satisfy a judgment or order, as follows[] . . . the person's interest . . . in one parcel or item of real or personal property that the person or a dependent of the person uses as a residence.

The Trustee alleges that the Debtor is not entitled to this exemption because the Real Estate was not his residence at the time of filing. The Trustee is wrong. The Real Estate was Debtor's residence at filing and he intended that it remain his residence. He is entitled to his exemption.

Debtor respectfully asks the Court to deny the Trustee's motion.

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Counsel for Debtor

CERTIFICATE OF SERVICE

I hereby certify that on this 31th day of August 2016, a true and correct copy of the foregoing Objection to Property Claimed as Exempt was served as follows:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's ElectronicMail Notice List:

Office of the U.S. Trustee  
Kathryn A. Belfance at kb&rlblp.com  
Edward A. Bailey, at bknotice@reimerlaw.com  
Kerri N. Bruckner, at NOHBK@lsrlaw.com  
Frank Cimino, at officef3@sbcglobal.net  
Robert A. Incorvati, at Robert@IncorvatiLaw.com  
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Kathryn A. Belfance, Trustee, at [kb@rlblp.com](mailto:kb@rlblp.com)

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